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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 JOSE VEGA, a/k/a Jose Gutierrez-Vega,
12 a/k/a Panda,

13 Defendant.

3:18-CR-057-MMD-WGC
3:18-CR-056-MMD-WGC

Final Order of Forfeiture

14 The United States District Court for the District of Nevada entered a Preliminary
15 Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); 18 U.S.C. § 924(d)(1)
16 with 28 U.S.C. § 2461(c); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. §
17 853(a)(1); 21 U.S.C. § 853(a)(2); 21 U.S.C. § 853(p); and 21 U.S.C. § 881(a)(6) with 28
18 U.S.C. § 2461(c) based upon the plea of guilty by Jose Vega, a/k/a Jose Gutierrez-Vega,
19 a/k/a Panda, to the criminal offenses, forfeiting the property set forth in the Plea
20 Agreement, the Second Bill of Particulars (057), the Forfeiture Allegation of the
21 Superseding Indictment (057), and the Forfeiture Allegation of the Superseding Indictment
22 (056) and shown by the United States to have the requisite nexus to the offenses to which
23 Jose Vega, a/k/a Jose Gutierrez-Vega, a/k/a Panda, pled guilty. Superseding Indictment
24 (057), ECF No. 192; Second Bill of Particulars (057), ECF No. 236; Change of Plea (057),
25 ECF No. 606; Plea Agreement (057), ECF No. 607; Preliminary Order of Forfeiture (057),
26 ECF No. 634; Superseding Indictment (056), ECF No. 24; Change of Plea (056), ECF No.
27 32; Plea Agreement (056), ECF No. 33; Preliminary Order of Forfeiture (056), ECF No. 38.
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1 This Court finds that the United States may amend this order at any time to add
2 subsequently located property or substitute property to the forfeiture order pursuant to Fed.
3 R. Crim. P. 32.2(b)(2)(C) and 32.2(e).

4 This Court finds the United States published the notice of forfeiture in accordance
5 with the law via the official government internet forfeiture site, www.forfeiture.gov,
6 consecutively from December 18, 2019, through January 16, 2020, notifying all potential
7 third parties of their right to petition the Court. Notice of Filing Proof of Publication (057),
8 ECF No. 673; Notice of Filing Proof of Publication (056), ECF No. 39.

9 This Court finds the United States notified known third parties by regular mail and
10 certified mail return receipt requested of their right to petition the Court. Notice of Filing
11 Service of Process – Mailing (056), ECF No. 40.

12 On December 26, 2019, the United States Attorney's Office attempted to serve
13 Autumn Dawn Phipps at 5129 N. 23rd Avenue, Phoenix, Arizona, by regular and certified
14 return receipt mail with the Preliminary Order of Forfeiture and the Notice. The mail was
15 returned as attempted-not known. Notice of Filing Service of Process – Mailing (056), ECF
16 No. 40-1, p. 3, 5-15, 17-19.

17 On December 26, 2019, the United States Attorney's Office attempted to serve
18 Autumn Dawn Phipps at 415 N. 5th Street, Harve, Montana, by regular and certified return
19 receipt mail with the Preliminary Order of Forfeiture and the Notice. The mail was returned
20 as not deliverable as addressed and unable to forward. Notice of Filing Service of Process –
21 Mailing (056), ECF No. 40-1, p. 3, 5-15, 20-22.

22 On January 10, 2020, the United States Attorney's Office served Autumn Dawn
23 Phipps at 1877 El Rancho Drive, Sparks, Nevada, by regular and certified return receipt
24 mail with the Preliminary Order of Forfeiture and the Notice. Autumn Dawn Phipps was
25 served by both regular and certified mail. Notice of Filing Service of Process – Mailing
26 (056), ECF No. 40-1, p. 3, 5-15, 23-25.

27 On January 10, 2020, the United States Attorney's Office attempted to serve Autumn
28 Dawn Phipps at 3131 S. Virginia Street, Reno, Nevada, by regular and certified return

1 receipt mail with the Preliminary Order of Forfeiture and the Notice. The certified mail was
2 returned as attempted-not known and the regular mail was not returned. Notice of Filing
3 Service of Process – Mailing (056), ECF No. 40-1, p. 3, 5-15, 26-28.

4 On January 21, 2020, Autumn Dawn Phipps stated to the United States Attorney's
5 Office that she had received service and would not contest the forfeiture. Notice of Filing
6 Service of Process – Mailing (056), ECF No. 40-1, p. 4.

7 This Court finds no petition was filed herein by or on behalf of any person or entity
8 and the time for filing such petitions and claims has expired.

9 This Court finds no petitions are pending with regard to the property named herein
10 and the time for presenting such petitions has expired.

11 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
12 all possessory rights, ownership rights, and all rights, titles, and interests in the property
13 hereinafter described are condemned, forfeited, and vested in the United States pursuant to
14 Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. § 924(d)(1)
15 with 28 U.S.C. § 2461(c); 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 21 U.S.C. §
16 853(a)(1); 21 U.S.C. § 853(a)(2); 21 U.S.C. § 853(p); 21 U.S.C. § 881(a)(6) with 28 U.S.C. §
17 2461(c); and 21 U.S.C. § 853(n)(7) and shall be disposed of according to law:

- 18 1. SCCY Industries, Model CPX-1, 9 millimeter firearm bearing serial number 562729;
 - 19 2. any and all ammunition;
 - 20 3. \$1,000.00 in US Currency seized from Alberto Acosta-Macias at 3503 Postre Ct.;
 - 21 4. \$213.00 in US Currency seized from Jose Mora at 460 E. Grove St.;
 - 22 5. \$607.00 in US Currency seized from Shawn Curl at 4986 S. Virginia St.;
 - 23 6. \$996.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf Ct.;
 - 24 7. \$2,750.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf Ct.;
 - 25 8. \$16,021.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf Ct.; and
 - 26 9. \$3,785.00 in US Currency seized from Shawn Curl at 18119 Cherry Leaf Ct.
- 27 (all of which constitutes property).

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all
2 forfeited funds, including but not limited to, currency, currency equivalents, certificates of
3 deposit, as well as any income derived as a result of the government's management of any
4 property forfeited herein, and the proceeds from the sale of any forfeited property shall be
5 disposed of according to law.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
7 copies of this Order to all counsel of record.

8 DATED March 30, 2020.

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12 HONORABLE MIRANDA M. DU
13 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

A copy of the foregoing was served upon counsel of record via Electronic Filing on
March 27, 2020.

/s/ Heidi L. Skillin
HEIDI L. SKILLIN
FSA Contractor Paralegal